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December 10, 2018

VIA EPERMITTING

Ricardo A. Valera, P.E.
Environmental Resource Bureau
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Re: Sunbreak Farms, LLC
Environmental Resource Permit Application No. 180613-16
Permit No. 56-00111-S
St. Lucie County

Dear Mr. Valera:

This letter is in response to item #3 of your Request for Additional Information dated September 14, 2018, and addressed to David Baggett, P.E. It is intended to accompany his responses to items #1 and #2 of that RAI.

The District's request for the Applicant to provide a water quality monitoring and reporting plan was justified on the basis of determining "if the pollution abatement practices incorporated into the design for the drainage system will function properly," and the Applicant was advised that the plan should provide "reasonable assurance" that the stormwater discharges from the composting cells will not result in adverse impacts to water resources. As authority for this requirement, SFWMD cites Section 4.9.3 of the ERP Applicants' Handbook, Vol. II (the "**ERP Handbook**").

The Applicant has Florida DEP Permit No. FLA979830-001-DWIS (the "**Permit**") for its composting operations on its property. Pursuant to the Permit, DEP has established procedures for quality assurance screening upon arrival for testing during the composting process, and for testing the final product to confirm that it constitutes Class AA fertilizer. The Applicant was advised in a phone call with District counsel that the District's concerns solely concern the period during composting of biosolids, not during the period when the biosolids constitute Class AA fertilizer, and are applied according to FDACS Best Management Practices, and are entitled to a statutory presumption of

water quality compliance. This means that the District's concerns are limited to the period during which the Applicant's activities are conducted pursuant to the Permit.

The "Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., Between the South Florida Water Management District and Department of Environmental Protection," in Section A.1.c., provides that responsibilities wastewater treatment facilities are reserved exclusively to the DEP. In the Permit, the DEP provides that:

1. By spreading the sites to each of the forty fields, there is a minimal amount of runoff from the compost operation which is first discharged to a retention ditch downgradient to the compost areas. The composting areas will be constructed with a 2% slope towards an internal v-ditch (inside containment berm). This will promote drainage away from the piles. The v-ditch will be constructed with sufficient storage to retain over 2.4" of runoff from the compost areas. Per FDEP's Evaluation of Stormwater Design Criteria within the State of Florida (Harper, 2007) this captures approximately 90% of annual rainfall events. Perimeter berms shall be formed around the composting areas prior to construction of windrows. The berms will be a minimum of 24" in height and will provide 100% containment of the 100-year, 3-day storm event over a typical compost area. *No discharge from the compost areas to either the fields or perimeter ditches will occur* [emphasis added]. (Fact Sheet for State of Florida Domestic Wastewater Facility Permit—"Fact Sheet") [Note, the calculations in the ERP modification application actually reflect a higher rainfall capture rate]

2. "This facility does not discharge to surface waters." (Fact Sheet).

3. "The compost product will replace other fertilizer that is faster leaching from the sites. The net effect will be reduction in fertilizer use and reduced discharge of nutrients to the area canals." (Fact Sheet)

4. The Permit specifically provides that the permitted activities do not warrant ground water monitoring. (Permit Part III and Fact Sheet Part 6).

Section 4.9 of the ERP Handbook provides that "[a]ll new drainage projects will be evaluated based on the ability of the system to prevent degradation of receiving waters and the ability to conform to State water quality standards."

The Applicant's ERP modification request is not for a new drainage project. It is limited to modification of its existing surface water management system, which has been in place for decades. The proposed modification seeks only to add the "inside containment berm" to each composting area, as described in the DEP Fact Sheet (and cited above) and the Composting Operations Plan which is part of the Permit. These berms were added to the design for the composting areas at the request of SFWMD personnel. The composting areas, if all completed, will total approximately 81 acres of a 7380-acre farming operation, or on the order of 1.1% of its land area. Each approx. 2 acre composting facility serves a farm field of approximately 115 acres, which causes them to be dispersed across the property. Applicant's surface water management system contains approximately 62 miles of internal farm ditches and canals which do not constitute surface waters, and which do not drain directly into surface waters. Stormwater is removed from the property via pumps into a 640-

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acre (1 square mile) reservoir owned and operated by Applicant, which must then be discharged into a privately-maintained canal, which (after approximately 4.25 miles) flows into the C-25 canal.

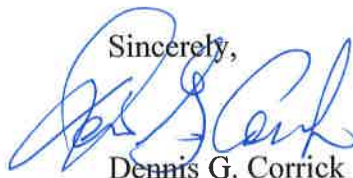
Translating the foregoing into practical terms, 6 inches of rainfall in the composting areas amounts to approximately 40 acre-feet of rainfall. Ignoring the retention by the inside containment berms around the compost facilities, and assuming no rain is absorbed by the compost, approximately 40 acre-feet of rainfall in these areas would be combined with 3650 acre-feet of rainfall from the balance of the property (again, approximately 1.1% of the total), and then further combined with the volume of water held in the farm ditches and reservoir.

But the composting facilities are to be constructed with a source control approach (the purpose of this ERP modification) which is designed to prevent discharge from the facility up to the 100-year, 3-day storm event. *So even the minor fraction of the overall site runoff anticipated above is unlikely to occur.*

The Applicant's property does not receive sufficient average annual rainfall to irrigate the entire property if planted to corn silage, and groundwater at this property has too much salinity to constitute a meaningful contribution. And its reservoir allows the Applicant to hold significant amounts of water onsite. Accordingly, the Applicant can and must conserve and avoid discharging water whenever possible, since discharging water is something which is contrary to the Applicant's best interest.

Further, as the Permit provides, the Applicant is not adding additional nutrients to its property versus the status quo by conducting its permitted composting operations. It currently uses commercial fertilizers, which are *more likely* to run off or leach into the water table than compost, which as a soil additive tilled into place is both less likely to wash away and more likely to provide its nutrients to the crop over time. So not only is it a short-term improvement over the use of commercial fertilizers, the nature of compost as a soil enhancement suggests that it will lead to less demand for nutrient addition over time.

The Applicant maintains that the construction and operating standards, monitoring and testing required by the DEP permit for composting Class B biosolids to Class AA fertilizer, together with the FDACS Best Management Practices applied by Applicant, collectively serve to provide adequate assurances to SFWMD that no degradation of surface waters will result from Applicant's permitted activities.

Sincerely,

Dennis G. Corrick

DGC:sh

cc: David Baggett, P.E.
Sunbreak Farms, LLC